

10/12/00
JC905 U.S. PTO

10-13-00

A

Express Mail No: EL696071020US
Attorney Docket: Cyto-Nozzle-Div

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

0913 U.S. PTO
09/689585
10/12/00

In Re the Application of: Ger Van den Engh

Serial Number: Original: 08/323,270 New: _____
Parent (CPA): 08/627,963

Filed: Original: October 14, 1994 New: _____
Parent (CPA): September 8, 1997

For: Flow Cytometer Droplet Formation System

[Old Title: High Speed Flow Cytometer Droplet Formation System]

Group Art Unit: Original: 1809 New: _____
Parent: 1743

Examiner: Original: J. Housel New: _____
Parent: J. Ludlow

Assignee: University of Washington

LETTER OF TRANSMITTAL
Divisional Application under 35 U.S.C. §§ 120 and 121 and 37 C.F.R. 1.53(b)

Assistant Commissioner for Patents and Trademarks
Box Patent Application
Washington, D.C. 20231

Sir:

Enclosed for filing is a divisional application under 35 U.S.C. §§ 120 and in accordance with 121, 37 C.F.R. 1.53(b), and MPEP 201.06(c), for an invention newly entitled "Flow Cytometer Droplet Formation System" including the following documents:

- a. a Preliminary Amendment -- which should be entered prior to calculation of the fee for this application -- and which adds, among other aspects, the statement that this application is to be considered a divisional application and amends the title;

D E C O D E D

- b. a copy of the Specification of the original application consisting of 38 pages as originally filed with no new matter added as required pursuant to 37 C.F.R. §1.53(b) and MPEP 201.06(c). For the convenience of the Office, a cover sheet has been added to the copy to indicate the new caption and title and thus minimize the risk of loss in the event documents are separated from the file;
- c. a copy of 5 sheets of drawings as presented in the original application with no new matter added as required pursuant to 37 C.F.R. § 1.53 (b) with the newly attached cover sheet;
- d. a copy of the Declaration for Patent Application, as filed in the original application, pursuant to Rule 1.63(d)(1)(i-iv), with the newly attached cover sheet;
- e. a true and correct copy of the assignment of patent rights filed in the original application, including the notice of recordation and recording cover sheet recorded on October 14, 1994 to University of Washington, recorded at reel/frame: 7324/0964 pursuant, to 37 C.F.R. §3.21 and MPEP §306, with newly attached cover sheet;
- f. copies of the original application Power of Attorney from Cytomation, Inc. and attached to it the Correspondence Address Change pursuant to Rule 1.63(d)(4) with the newly attached cover sheet;
- g. copies of the original application Power of Attorney from University of Washington and attached to it the Correspondence Address Change pursuant to Rule 1.63(d)(4) with the newly attached cover sheet;
- h. copies of the original application Power of Attorney from Ger Van den Engh and attached to it the Correspondence Address Change pursuant to Rule 1.63(d)(4) with the newly attached cover sheet;
- i. a newly executed Associate Power of Attorney under 37 C.F.R. §1.34(b);
- j. It should be noted that small entity status was established in the original application relied upon for priority in the present application. Small entity status remains appropriate and is hereby claimed for this application under to 37 CFR 1.28. No copies of the documents establishing small entity status in the original application are filed. Pursuant to MPEP 201.06(c) no copy is necessary;
- k. an Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 listing references including those cited in the parent and original applications, and including copies of those references not cited in the parent case. It is understood that all the Information Disclosure Statements and art cited by the parent and original applications will be considered in this division application pursuant to 37 C.F.R. §1.98(d);
- l. a firm check payable to the Commissioner of Patents and Trademarks in the amount of \$661.00, along with an attached fee calculation sheet;

- m. Express Mail Certificates for each document; and
- n. this Letter of Transmittal

Please process this application as a divisional application under 35 U.S.C. §§ 120 and 121 and 37 C.F.R. 1.53(b) or otherwise as appropriate. Please confirm receipt of the documents by applying your date stamp and serial number on the enclosed postcard and returning it to me.

I have this 12-day of October, 2000, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Please address all future correspondence to: Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, CO 80521.

Dated this 12 day of October, 2000.

Respectfully Submitted,

SANTANGELO LAW OFFICES, P.C.

By:



Chad Soliz
ATTORNEY FOR APPLICANT
PTO No. 47,101
125 South Howes, Third Floor
Fort Collins, Colorado 80521
(970) 224-3100

FEE CALCULATION SHEET
USPTO Patent Application

jc913 u.s. pto
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(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS ¹	39-20 =	19	x \$18.00 =	\$342.00
INDEP. CLAIMS	3-3 =		x \$80.00 =	0.00
MULTIPLE DEPENDENT CLAIMS (insert Y or N)			Y	270.00
BASIC FEE				710.00
TOTAL OF ABOVE =				1322.00
REDUCTION BY 50 % FOR FILING BY SM ENTITY (insert Y or N)			Y	661.00
ASSIGNMENT (insert Y or N)			N	\$ 0.00
TOTAL =				\$ 661.00

¹ TOTAL CLAIMS BASED ON:

28	Numbered claims with: 44-68 and 83-85
3	Independent claims 44, 56 and 83
20	Claims dependent on a single claim 45-52, 57-64, 66-68, 84
2	Claims dependent on two claims 65, 85
	Claims dependent on three claims
3	Claims dependent on four claims 53, 54, 55
	Claims dependent on five claims
39	TOTAL CALCULATED CLAIMS

Note: Fees based on October 1, 2000 Fee Schedule

To: Deputy Commissioner of Patents and Trademarks
Office of Enrollment and Discipline
Attorney Roster
Washington, D.C. 20231

CHANGE OF CORRESPONDENCE ADDRESS

Please accept this as formal notification of a change of correspondence address for:

Santangelo Law Offices, P.C.

Effective: April 1, 1998, the new correspondence address is:

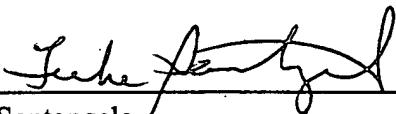
SANTANGELO LAW OFFICES, P.C.
125 South Howes, Third Floor
Fort Collins, CO 80521
(970) 224-3100

Registered attorneys:

Luke Santangelo, PTO No. 31,997
William F. Vobach, PTO No. 39,411
D. Brit Nelson, PTO No. 40,370

Sincerely,

SANTANGELO LAW OFFICES, P.C.


Luke Santangelo
PTO No. 31,997
125 South Howes, Third Floor
Fort Collins, CO 80521
(970) 224-3100

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[Old Title: High Speed Flow Cytometer Droplet Formation System]

Group Art Unit: Original: 1809 New: _____
Parent: 1743

Examiner: Original: J. Housel New: _____

Assignee: University of Washington

CERTIFICATE OF EXPRESS MAILING

I, Shannon Nation-Kammerer, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Letter of Transmittal, Fee Calculation Sheet, and a firm check in the amount of \$661.00 with the United States Postal Service as "Express Mail" for mailing to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated this 12 day of October, 2000.

Shannon M. Nation-Kammerer

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1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Preliminary Amendment to be entered with this filing prior to calculation of the filing fee pursuant to §1.16 with the United States Postal Service as "Express Mail" for mailing to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated this 12 day of October, 2000.

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DIVISIONAL COVER SHEET*

FOR

COPY OF ORIGINAL APPLICATION SPECIFICATION

* This Divisional Cover Sheet is provided for the convenience of Patent Office personnel, to indicate the new caption and title and thus minimize the risk of loss in the event documents are separated from the file.

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2. I have this day deposited the attached copy of the Specification of the parent application consisting of 38 pages as originally filed with no new matter added as required pursuant to 37 C.F.R. §1.53(b) and MPEP 201.06(c) and a cover sheet with the United States Postal Service as "Express Mail" for mailing to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated this 12 day of October, 2000.

Shannon M. Nation-Kammerer

USPS
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DIVISIONAL COVER SHEET*

FOR

COPY OF ORIGINAL APPLICATION FIVE SHEETS OF DRAWINGS

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2. I have this day deposited a copy of 5 sheets of drawings with no new matter added as required pursuant to 37 C.F.R. § 1.53 (b) and a cover sheet with the United States Postal Service as "Express Mail" for mailing to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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DIVISIONAL COVER SHEET*

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COPY OF ORIGINAL APPLICATION DECLARATION

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1743
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Dated this 12 day of October, 2000.

Shannon M. Nation-Kammerer

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